

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI

Gary W. McMullin and Janella K. McMullin)	Case: 11-40243
)	
Debtors,)	Chapter 13
)	
)	Shapiro & Weisman, L.C.
)	13801 Riverport Drive
PHH Mortgage Corporation, its successors and/or assigns)	Suite 502
)	Maryland Heights, MO 63043
Respondent,)	
)	
)	
)	
John V. LaBarge, Jr., Trustee)	
Movant.		

RESPONSE TO TRUSTEE'S OBJECTION TO CLAIM NO.11-1

COMES NOW Respondent, PHH Mortgage Corporation, its successors and or assigns, by and through its Attorney, and responds to the Trustee's Objection to Claim No.11-1 as follows:

1. Respondent's proof of claim was filed on February 10, 2011.
2. Respondent's proof of claim is secured by a Note and Deed of Trust on real estate located at 1 Forest Lane, O'Fallon, MO 63366.
3. If Respondent's proof of claim is not allowed the Debtor(s) will not be able to pay the arrearages through the Chapter 13 plan, and will still owe an arrearage when the bankruptcy is completed.
4. Debtor(s)' mortgage arrearage is the type of debt that Debtor(s) would want included in the bankruptcy, and the inclusion of mortgage arrearages in the bankruptcy is necessary for an effective reorganization.

Wherefore, Respondent prays that the Trustee's objection to the proof of claim filed by Respondent be denied as it is necessary in order for the Debtor(s) to effectively reorganize under Chapter 13, and for such and other relief as the Court deems necessary and proper under the circumstances.

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by: /s/Jeffrey T Weisman
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Charles H. Nitsch #50971

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing response to the Trustee's Objection to Claim was filed electronically and/or mailed March 2, 2011, to all parties listed below.

 /s/Jeffrey T Weisman
Jeffrey T. Weisman #34075
Charles H. Nitsch #50971

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